

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Claims 1-5, 7-9, 11-16, and 19-30 are all the claims pending in the application. Applicant submits the pending claims define patentable subject matter.

Claim Rejections - 35 USC § 103

Claims 1-5, 7-9, 11-16, 19, 21-24, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over van der Tuijn et al. (US 6,683,886; hereinafter "Tuijn") in view of Omi et al. (US 6,940,831; hereinafter "Omi"). Applicant traverses the rejection as follows.

Independent claim 1 is directed to a wireless communication apparatus for performing a wireless communication. Independent claim 1 recites, in part:

a transceiving unit for receiving and transmitting data externally, the transceiving unit maintaining a link to at least one slave device and receiving a requested priority from the at least one slave device, when the wireless communication apparatus is operated as a master;

a controller for determining a priority of the at least one slave device considering the requested priority and priorities of the other slave devices that are currently linked, determining a frequency of communication according to the priority of the at least one slave device and controlling the communication with the at least one slave device; and

a memory for storing the frequency of communication of the at least one slave device.

Thus, independent claim 1 requires, *inter alia*, a transceiving unit which receives a requested priority from the at least one slave device, when the wireless communication apparatus is

operated as a master, and a controller which determines a priority of the at least one slave device considering the requested priority.¹

Tuijn, on the other hand, discloses a communication system which simply enables packets according to priority as opposed to allocating packets to channel slot numbers for activation.² Tuijn also teaches that processing circuitry of a master unit is configured to analyze communication links of the appropriate piconet and to prioritize an order of communication of the packets using the communication links responsive to the analysis.³

Nevertheless, the Examiner argues that Tuijn teaches all of the above-noted features of the claimed invention. In particular, with regard to the claimed transceiving unit which receives a requested priority from at least one slave device, the Examiner cites Tuijn, col. 3, lines 6-14 and FIG. 3 in support of his position. Applicant again submits that the rejection is improper.

Instead, Applicant notes that the cited portion of Tuijn specifically states:

Another aspect of the invention includes a Bluetooth communication method comprising: providing a master communication unit adapted to establish a plurality of communication links to provide a piconet in accordance with a Bluetooth communication protocol; providing a plurality of data packets to be communicated using respective communication links; prioritizing the communication links; and communicating the data packets using the communication links according to the prioritizing.

¹ Emphasis added.

² See Tuijn, at col. 5, line 66 to col. 6, line 3.

³ See Tuijn, at col. 5, lines 10-18.

That is, Tuijn simply describes prioritizing communication links. Applicant submits this does not equate to receiving a requested priority from the at least one slave device, as claimed.

Further, col. 4, line 63 to col. 5, line 4 of Tuijn states:

Communication circuitry 19 of the master unit is configured to dynamically couple and decouple with communication links 16 associated with dynamic slave units. As described below, processing circuitry 18 of a master unit is configured to analyze established communication links to determine priority of communications with the associated slave units initially upon communication start-up and following coupling or decoupling of an associated slave unit in accordance with one aspect of the present invention.⁴

In other words, Tuijn specifically states that it is the master unit 18 which determines the priority of the associated slave units. Tuijn fails to teach or suggest receiving a requested priority from the at least one slave device. Indeed, Tuijn is completely silent as to this claimed feature.

Furthermore, even assuming *arguendo* a master unit receives signals from a slave unit in Tuijn, this does not necessarily correspond to receiving a requested priority from at least one slave device, as claimed.

Moreover, as pointed out previously, Applicant again notes that communication devices of Tuijn do not determine a priority of the slave device considering the requested priority and priorities of the other slave devices that are currently linked, as claimed, but instead determine

⁴ Emphasis added.

priorities according to their own analyses based on data transfer characteristics, such as data transfer rates, time-out, maximum data relay, etc.⁵

Additionally, Applicant points out that Tuijn only teaches a memory storing a set of instructions for execution by processor,⁶ but does not teach a memory for storing the frequency of communication of the slave device, as set forth in claim 1. Consequently, Applicant submits the rejection is also improper in this regard.

Further, Omi fails to cure these deficiencies of Tuijn. Therefore, Applicant submits that neither reference, either alone or in combination, teaches or suggests all of the features set forth by the claimed invention. Accordingly, Applicant submits independent claim 1 is patentable over the prior art of record for at least these reasons. Similarly, Applicant submits independent claims 8 and 15 are patentable for analogous reasons. Further, Applicant submits dependent claims 2-5, 7, 9, 11-14, 16, 19, 21-24 and 30 are patentable over the prior art of record, at least by virtue of their respective dependency on claims 1, 8 and 15.

Additionally, in response to the Response filed June 21, 2007, the Examiner asserts that “the features upon which applicant relies (i.e., a slave device requests a priority from the master device according to the service type, and the master device assigns a priority to the slave device considering the requested priority) are not recited in the rejected claim(s).” The Examiner further asserts

Tuijn teaches the processing circuitry of a master unit is configured to analyze established communication links to determine priority of communications with the associated slave

⁵ See Tuijn, col. 5, lines 10-18 and col. 7, lines 36-47.

⁶ See Tuijn, col. 5, lines 19-28.

units initially upon communication start-up (see column 4, lines 63 - column 5, lines 4), and the communication devices are individually configured to dynamically determine priorities responsive to such coupling and/or decoupling of slave units during communication (if a slave device is decoupling with master device, processor proceeds to disable the appropriate communication link and corresponding link priority) (see column 7, lines 36 - 55), and the packet scheduler cooperating with processor performs the reception of a priority check trigger and proceeds to check priorities and determines priorities for the slave units (see column 8, lines 37 - 63 and Fig. 8), regarding the claimed limitation. More specifically, when the master device establishes communication link with a slave unit, determines priority of the slave unit by receiving wireless signals (receives a request priority requesting) for initially upon communication start-up from the slave unit. More specific to explain the determining the priority that as received the setting up communication link signal from the slave unit, the processor of master device transmits the request (setting up wireless signals) for check priority of the slave device to scheduler, and the scheduler determines the priority of the slave device.⁷

Applicant disagrees with the Examiner's position.

First, Applicant notes that independent claim 8 recites, in part:

the at least one slave device transmitting a requested priority to the master device, and

the master device receiving the requested priority from the at least one slave device, and determining and assigning the at least

⁷ Emphasis added.

one slave device with a priority considering the requested priority and priorities of the other slave devices that are currently linked, wherein the at least one slave device transmits the requested priority according to the amount of data to be transmitted to the master device.⁸

Thus, independent claim 8 requires, *inter alia*, at least one slave device transmit a requested priority to the master device.

Further, as noted from the above-underlined portion of the Examiner's statement, the Examiner is apparently asserting that "when the master device establishes communication link with a slave unit, [it] determines priority of the slave unit by receiving wireless signals (receives a request priority requesting) for initially upon communication start-up from the slave unit." That is, the Examiner is asserting that receiving wireless signals from a slave unit corresponds to the claimed feature "the at least one slave device transmitting a requested priority to the master device." Applicant submits the Examiner's reliance on Tuijn is misplaced.

Instead, Applicant submits that even if Tuijn discloses a master unit which determines priority of slave units, that such disclosure does not correspond to a slave device transmitting a requested priority to the master device, as claimed. Moreover, sending signals from a slave unit to a master unit does not necessarily correspond to transmitting a requested priority. Thus, Applicant submits the Examiner's response to our argument is deficient in this regard.

⁸ Emphasis added.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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23373

CUSTOMER NUMBER

Date: November 26, 2007